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5 Attorneys for Defendant
U.S. Bank, National Association as Legal Title Trustee for the Truman 2016 SC6
6 Title Trust

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 AMELIA SALDANA, as trustee of the
12 Saldana Revocable Family Trust and
JOSE G. SALDANA, JR., trust
13 beneficiary,

14 Plaintiffs,

15 v.

16 WELLS FARGO BANK, N.A.; THE
BANK OF NEW YORK MELLON, f/k/a
17 THE BANK OF NEW YORK as Trustee
for the WORLD SAVINGS REMIC 24,
18 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 24 TRUST,
19 US BANK NATIONAL ASSOCIATION
AS LEGAL TITLE TRUSTEE FOR
20 TRUMAN 2016 SC6 TITLE TRUST and
DOES 1-100, inclusive,

21 Defendants.
22

CASE NO. 4:18-CV-01049-HSG

**STIPULATION FOR ORDER
PERMITTING TELEPHONIC
APPEARANCE AT CASE
MANAGEMENT CONFERENCE
AND MOTION TO
DISMISS/STRIKE HEARINGS**

Date: September 6, 2018
Time: 2:00 p.m.

Ctrm.: 2 (4th Floor)
Judge: Hon. Haywood S. Gilliam, Jr.

Action Filed: January 17, 2018
Removed: February 16, 2018

23
24 TO THE HONORABLE HAYWOOD S. GILLIAM, JR.:

25 This Stipulation for Order Permitting Telephonic Appearance of Defendant
26 U.S. Bank, National Association as Legal Title Trustee for the Truman 2016 SC6
27 Title Trust ("U.S. Bank") at the Case Management Conference and Motions to
28 Dismiss and Strike scheduled for September 6, 2018 is made and entered into by and

1 among Plaintiffs Amelia Saldana, as trustee of the Saldana Revocable Family Trust
2 and Jose G. Saldana, Jr., trust beneficiary (“Plaintiffs”) and Wells Fargo Bank, N.A.
3 successor by merger with Wells Fargo Bank Southwest, N.A., f/k/a Wachovia
4 Mortgage, FSB and World Savings Bank, FSB (“Wells Fargo”) and The Bank of New
5 York Mellon, f/k/a the Bank of New York (collectively the “Bank Defendants”) and
6 U.S. Bank (collectively the “Parties”), by and through their respective counsel.

7 **RECITALS**

8 WHEREAS, the Bank Defendants’ demurrer to plaintiffs’ complaint is set for
9 hearing on September 6, 2018 and is fully briefed [Doc 28];

10 WHEREAS, U.S. Bank’s demurrer and motion to strike was set for hearing on
11 October 25, 2018 and is fully briefed [Doc 31 and 32];

12 WHEREAS, this Court, *sua sponte*, advanced U.S. Bank’s demurrer and
13 motion to strike hearing to September 6, 2018 [Doc 35];

14 WHEREAS, a Case Management Conference is scheduled in this Court on
15 September 6, 2018 at 2:00 p.m.;

16 WHEREAS, U.S. Bank’s counsel is in San Diego, California. Therefore,
17 making a personal appearance will involve travel costs and expenses that could
18 otherwise be avoided by making a telephonic appearance; and

19 WHEREAS, the Parties agree that the Case Management Conference can and
20 should go forward with U.S. Bank’ attorney appearing telephonically throughout the
21 conference and at the motion to dismiss and strike hearings.

22 **STIPULATION**

23 NOW, THEREFORE, BASED UPON THE FOREGOING RECITALS, THE
24 PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

25 1. U.S. Bank’s counsel is permitted to appear telephonically for the Case
26 Management Conference and Motion to Dismiss and Strike hearings on September 6,
27 2018, subject to Court approval.
28

1 IT IS SO STIPULATED.

2 DATED: August 13, 2018

KIRBY & McGUINN, A P.C.

3 BY: /s/ Jana Logan

4 JANA LOGAN

5 Attorneys for Defendant

6 U.S. Bank, National Association as Legal

7 Title Trustee for the Truman 2016 SC6

Title Trust

8 DATED: August 13, 2018

LAW OFFICE OF MARK W. LAPHAM

9 BY: /s/ Mark W. Lapham

10 MARK W. LAPHAM

11 Attorneys for Plaintiffs

12 Amelia Saldana, as trustee of the Saldana

13 Revocable Family Trust and Jose G.

Saldana, Jr., trust beneficiary

14 DATED: August 13, 2018

15 ANGLIN, FLEWELLING,
16 RASMUSSEN, CAMPBELL &
17 TRYTTEN LLP

18 BY: /s/ Michael Rapkine

19 Michael Rapkine

20 Attorneys for Defendants

21 Wells Fargo Bank, N.A. successor by

22 merger with Wells Fargo Bank Southwest,

23 N.A., f/k/a Wachovia Mortgage, FSB and

World Savings Bank, FSB ("Wells Fargo")

and The Bank of New York Mellon, f/k/a

the Bank of New York

24 DATED: 8/15/2018

